

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

LAS AMERICAS IMMIGRANT ADVOCACY
CENTER; AMERICAN GATEWAYS; AND THE
COUNTY OF EL PASO, TEXAS,
Plaintiffs,

v.

FREEMAN F. MARTIN, IN HIS OFFICIAL
CAPACITY AS DIRECTOR OF THE STATE OF
TEXAS DEPT OF PUBLIC SAFETY, AND JAMES
MONTOYA, IN HIS OFFICIAL CAPACITY AS
DISTRICT ATTORNEY FOR THE 34TH
DISTRICT,

Defendants.

LA UNION DEL PUEBLO ENTERO, SARAH
DOE, MARY DOE, JOHN DOE, AND JAMES
DOE,

Plaintiffs,

v.

GREGORY ABBOTT, *ET AL.*,

Defendants.

CASE NO. 1:23-CV-1537-DAE (LEAD CASE)

CONSOLIDATED WITH 1:24-CV-270

JOINT UNOPPOSED MOTION TO RESCHEDULE STATUS CONFERENCE

Plaintiffs La Union de Pueblo Entero, Sarah Doe, Mary Doe, John Doe, and James Doe (collectively “LUPE”), and Defendants Gregory Abbott, in his official capacity as Governor of Texas, Freeman Martin, in his official capacity as Director of the Texas Department of Public Safety, and Ken Paxton, in his official capacity as Attorney General of Texas, (collectively “State Defendants”) file this joint unopposed motion to reschedule the Status Conference herein currently scheduled for May 28, 2025, and would show as follows:

1. All proceedings in the district court in this action were stayed by this Court on March 24, 2024, pending decision by the Fifth Circuit Court of Appeals of an appeal of this Court's preliminary injunction or further order of this Court. (ECF No. 63 in Case No. 1:24-0008-DAE). The Fifth Circuit Court of Appeals has not yet decided the appeal of the preliminary injunction in this case (5th Cir., Case No. 24-50149). Accordingly, proceedings in the district court in this case remain stayed.

2. On May 9, 2025, this Court entered its Order Setting Status Conference in this case in Austin, Texas, on May 28, 2025, at 2:30 p.m. (ECF No 55).

3. Trial on the merits before a three-judge court in El Paso, Texas, in *LULAC, et al. v. Greg Abbott, et. al.*, Case No. 3:21-cv-00259-DCG-JES-JVB (W. D. Tex.) (the "Texas Redistricting Case") is scheduled to begin on May 21, 2025, and to continue six days a week (excluding holidays) until approximately June 14, 2025. One of the days on which trial in the Texas Redistricting Case is scheduled to proceed in El Paso is May 28, 2025.

4. Counsel for LUPE in this case, Nina Perales, is also lead counsel for certain Plaintiffs (the "LULAC Plaintiffs") in the Texas Redistricting Case and is required to be present in trial to represent the LULAC Plaintiffs in that case in El Paso on May 28, 2025. Counsel for the State Defendants in this case, Ryan G. Kercher, Kathleen T. Hunker, David Bryant, and Wade A Johnson, are also counsel for the State Defendants in the Texas Redistricting Case and are required to be present in trial in that case in El Paso on May 28, 2025.

5. Accordingly, LUPE and the State Defendants jointly respectfully request that the Status Conference in this case be rescheduled from May 28, 2025, to a date convenient for the Court on or after June 16, 2025. LUPE and the State Defendants are available for such a rescheduled Status Conference any day during the week of June 16, 2025.

6. Counsel for the other plaintiffs and defendants in this case have advised that they do not oppose this request for rescheduling of the Status Conference as set forth above.

Date: May 21, 2025

Respectfully submitted.

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Attorney General

/s/ David Bryant
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CERTIFICATE OF CONFERENCE

I certify that I conferred via e-mail with Cody Wofsy, counsel for Plaintiffs, Las Americas Immigrant Advocacy Center, American Gateways, and the County of El Paso, on May 12, 2025, who indicated that Plaintiffs Las Americas Immigrant Advocacy Center, American Gateways, and the County of El Paso are unopposed to this motion.

/s/ David Bryant
DAVID BRYANT

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on May 21, 2025 and that all counsel of record were served by CM/ECF.

/s/ David Bryant
DAVID BRYANT